

PCT

#7
PCT Rec'd 20 MAR 2002

Docket No.:
In re:
US National Application No.:
US National Filing Date:
International Application No.:
International Filing Date:

PG3733USw
Stephen Anthony Burbidge
10/018,640

PCT/GB00/02516
June 30, 2000

PCT Notice of Missing Requirements mailed:
Title: NEW USES FOR POTASSIUM CHANNEL OPENERS

February 19, 2002

RECEIVED

Commissioner for Patents
BOX PCT
Washington, DC 20231
Attn: DO/EO/US

11 APR 2002

Legal Staff
International Division

**PCT Response to Notification of Missing Requirements
under 35 USC 371 in the DO/EO/US**

Sirs:

In response to the PCT Response to Notification of Missing Requirements under 35 USC 371 in the DO/EO/US and mailed to us on February 19, 2002, we submit the declaration for Jonathan Dupere, signed on March 13, 2002.

Also attached is the copy of the 2nd transmission concerning filing under 35 USC 371, sent to PCT/(DO/EO/US) on 19 February 2002, which included the declarations for Burbidge, Clare, Cox, Hagen and Xie.

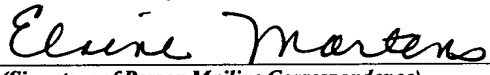
- Copy of Form PCT/DO/EO/905

Please charge our deposit account 07-1392 for all other associated fees.

Respectfully submitted,

Date: March 20, 2002

Bonnie L. Deppenbrock
Bonnie Deppenbrock
Attorney of Record 28,209
GlaxoSmithKline.
Corporate Intellectual Property Department
Five Moore Drive, PO Box 13398
Research Triangle Park, NC 27709
Telephone: 919-483-2370
Fax: 919-483-7988

| | | | | |
|---|-------------|----------|--------------------------------|--|
| CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Stephen Anthony Burbidge | | | Docket No. PG3733USW | |
| Serial No. 10/018,640 | Filing Date | Examiner | Group Art Unit | |
| Invention: NEW USES FOR POTASSIUM CHANNEL OPENERS | | | | |
| <p> I hereby certify that this <u>PCT Response to Notification of Missing Requirements under 35 USC 371 in DO/EO/US</u> <small>(Identify type of correspondence)</small> </p> <p> is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under </p> <p> 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C. </p> <p> 20231-0001 on <u>March 20, 2002</u> <small>(Date)</small> </p> <div style="text-align: right; margin-top: 20px;"> <u>Elaine Martens</u> <small>(Typed or Printed Name of Person Mailing Correspondence)</small>  <small>(Signature of Person Mailing Correspondence)</small> <u>EV022025429US</u> <small>(Express Mail Mailing Label Number)</small> </div> | | | | |
| <p>Note: Each paper must have its own certificate of mailing.</p> | | | | |

TRANSMITTAL LETTER TO THE UNITED STATES

PG377 USW

DESIGNATED/ELECTED OFFICE (DO/EO/US)

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)

CONCERNING A FILING UNDER 35 U.S.C. 371

10/018640

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/GB00/02516

June 30, 2000

July 1, 1999

TITLE OF INVENTION

NEW USES FOR POTASSIUM CHANNEL OPENERS

APPLICANT(S) FOR DO/EO/US

Stephen Anthony Burbidge, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☐ Other items or information:

| | | | | | |
|---|--------------|--|-----------|--|-----------|
| U.S. APPLICATION NO. (IF KNOWN, SEE 37 1.5) | | INTERNATIONAL APPLICATION NO. PCT/GB00/02516 | | ATTORNEY'S DOCKET NUMBER PG3733USW | |
| 24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> | | | | CALCULATIONS PTO USE ONLY | |
| | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). | | | | \$130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | - 20 = | 0 | x \$18.00 | \$0.00 | |
| Independent claims | - 3 = | 0 | x \$84.00 | \$0.00 | |
| Multiple Dependent Claims (check if applicable). <input type="checkbox"/> | | | | \$0.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$130.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2. | | | | \$0.00 | |
| SUBTOTAL = | | | | \$130.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). | | | | \$0.00 | |
| TOTAL NATIONAL FEE = | | | | \$130.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/> | | | | \$0.00 | |
| TOTAL FEES ENCLOSED = | | | | \$130.00 | |
| | | | | Amount to be: refunded | \$ |
| | | | | charged | \$ |

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 07-1392 in the amount of \$130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392 A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:



23347

PATENT TRADEMARK OFFICE

Bonnie L. Deppenbrock
SIGNATURE


Bonnie L. Deppenbrock

NAME

28,209

REGISTRATIONNUMBER

DATE

| | | | |
|---|-------------|----------|--------------------------------|
| CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Stephen Anthony Burbidge | | | Docket No. PG3733USW |
| Serial No. 10/018,640 | Filing Date | Examiner | Group Art Unit |
| Invention: NEW USES FOR POTASSIUM CHANNEL OPENERS | | | |
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| <p>Note: Each paper must have its own certificate of mailing.</p> | | | |

DOCKET No. PG3733 USW Date Mailed 11/29/02 Atty/Secy BLD/AKT
MAILING: CERTIFICATE/ EXPRESS MAIL # 1129/02
U.S. Serial No.: 101018640 Filing Date: 12/19/01
Int'l App. No.: PCT/GB00/02516 Int'l Filing Date: 6/30/00

RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

- | | |
|---|--|
| <input type="checkbox"/> Appln Transmit +1 copy for: <input type="checkbox"/> Provisional <input type="checkbox"/> CIP | <input type="checkbox"/> Copy of Notice to Comply |
| <input type="checkbox"/> Utility <input type="checkbox"/> CONTIN <input type="checkbox"/> DIV <input type="checkbox"/> RCE <input type="checkbox"/> TRADEMARK | <input type="checkbox"/> Statement to Support Filing |
| <input type="checkbox"/> Specification _____ pgs <input type="checkbox"/> Abstract _____ pgs | <input type="checkbox"/> Diskette <input type="checkbox"/> Sequence List |
| <input checked="" type="checkbox"/> Decls <u>15</u> pgs <input checked="" type="checkbox"/> Powers of Atty _____ pgs | <input type="checkbox"/> Appeal Brief _____ pgs |
| <input type="checkbox"/> Drawings _____ Sheet(s)/Figs _____ to _____ | <input type="checkbox"/> Petition _____ pgs |
| <input type="checkbox"/> Assignment _____ pgs & Recordation Cover Sheet | <input type="checkbox"/> Status Request |
| <input checked="" type="checkbox"/> Transmit Ltr Nat'l Stage Entry +fee pg (3pgs) | <input type="checkbox"/> 2nd Transmit for Nat'l Stage |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Resp. to Written Opinion |
| <input type="checkbox"/> Form PTO-1449 _____ pgs. <input type="checkbox"/> References | <input type="checkbox"/> Priority Doc # _____ |
| <input type="checkbox"/> Amendment <input type="checkbox"/> Response _____ pgs | <input type="checkbox"/> Notice of Appeal +fee |
| <input type="checkbox"/> Petition for _____ month Extension of Time +1 copy | <input type="checkbox"/> Resp to Restrict Req _____ pgs |
| <input type="checkbox"/> Issue Fee Trans. (Part B) + 1 copy | <input type="checkbox"/> Req to Correct Filing Recpt |
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| <input type="checkbox"/> Request for Nonpublication (1 pg) | <input type="checkbox"/> Req for Cert of Correct _____ pgs |
| <input checked="" type="checkbox"/> Authorization to Charge Dep. Acct. # <u>07-1392</u> | |

☐ _____
☐ _____
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IC10 Rec'd PCT/PTO 19 FEB 2002



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WASHINGTON DC 20231-0001

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MAILING: CERTIFICATE/EXPRESS MAIL # EV 022025429 US

U.S. Serial No.: 10/018,640

Filing Date:

Int'l App. No.:

Int'l Filing Date:

RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

- ☐ Appln Transmit +1 copy for: ☐ Provisional ☐ CIP
- ☐ Utility ☐ CONTIN ☐ DIV ☐ RCE ☐ TRADEMARK
- ☐ Specification ___ pgs ☐ Abstract ___ pgs
- ☐ Decs ___ pgs ☐ Powers of Atty ___ pgs
- ☐ Drawings ___ Sheet(s)/Figs ___ to ___
- ☐ Assignment ___ pgs & Recordation Cover Sheet
- ☐ Transmit Ltr Nat'l Stage Entry +fee pg (3pgs)
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449 ___ pgs. ☐ References
- ☐ Amendment ☐ Response ___ pgs
- ☐ Petition for ___ month Extension of Time +1 copy
- ☐ Issue Fee Trans. (Part B) + 1 copy
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- ☐ Request for Nonpublication (1 pg)

☒ Authorization to Charge Dep. Acct. # 07-1392☒ Resp to PCT Notice of Missing Requirements☒ Declaration = Dupere: Copy of 2nd transmissin with other☒ declarations; Certificate of Express Mail

- ☐ Copy of Notice to Comply
- ☐ Statement to Support Filing
- ☐ Diskette ☐ Sequence List
- ☐ Appeal Brief ___ pgs
- ☐ Petition ___ pgs
- ☐ Status Request
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- ☐ Req for Cert of Correct ___ pgs

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